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REJECTION OVER A PRIOR PATENT

Docket Number (Optional)

96-2045

In re Application of: John Liu et al.
Application No.: 09/821,291

Filed: March 29, 2001

For: Aluminum Alloy Extrusions Having A Substantially Unrecrystallized Structure

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BD

The owner*, Alcoa Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,865,914. The owner hereby agrees that any patent is granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record.

Tracey D. Beiriger

Signature

9/19/03

Date

Tracey Beiriger

Typed or printed name

724-337-2779

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL
for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110.00)

Complete if Known

Application Number	09/821,291
Filing Date	March 29, 2001
First Named Inventor	John Liu
Examiner Name	George P. Wyszomierski
Art Unit	1742
Attorney Docket No.	96-2045

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:Deposit Account Number
Deposit Account Name

01-1000

Alcoa Inc.

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375			Utility filing fee	
1002 330	2002 165			Design filing fee	
1003 620	2003 260			Plant filing fee	
1004 750	2004 375			Reissue filing fee	
1005 160	2005 80			Provisional filing fee	
SUBTOTAL (1) (\$)		0			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
28	6		-20** =	X 18 =	0
			-3** =	X 84 =	0
				280 =	0

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9			Claims in excess of 20	
1201 84	2201 42			Independent claims in excess of 3	
1203 280	2203 140			Multiple dependent claim, if not paid	
1204 84	2204 42			** Reissue independent claims over original patent	
1205 18	2205 9			** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)		0			

** or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid	
1051 130	2051 65	Surcharge - late filing fee or oath		
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet		
1053 130	1053 130	Non-English specification		
1812 2,520	1812 2,520	For filing a request for ex parte reexamination		
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action		
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action		
1251 110	2251 55	Extension for reply within first month		
1252 410	2252 205	Extension for reply within second month		
1253 930	2253 465	Extension for reply within third month		
1254 1,450	2254 725	Extension for reply within fourth month		
1255 1,970	2255 985	Extension for reply within fifth month		
1401 320	2401 160	Notice of Appeal		
1402 320	2402 160	Filing a brief in support of an appeal		
1403 280	2403 140	Request for oral hearing		
1451 1,610	1451 1,510	Petition to institute a public use proceeding		
1452 110	2452 55	Petition to revive - unavoidable		
1453 1,300	2453 650	Petition to revive - unintentional		
1501 1,300	2501 650	Utility issue fee (or reissue)		
1502 470	2502 235	Design issue fee		
1503 630	2503 315	Plant issue fee		
1460 130	1460 130	Petitions to the Commissioner		
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)		
1806 180	1806 180	Submission of Information Disclosure Stmt		
8021 40	8021 40	Recording each patent assignment per property (times number of properties)		
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))		
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))		
1601 750	2801 375	Request for Continued Examination (RCE)		
1802 900	1802 900	Request for expedited examination of a design application		
Other fee (specify) Terminal Disclaimer 37 CFR 1.20(d)			110.00	
Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)		110.00

Other fee (specify) Terminal Disclaimer 37 CFR 1.20(d) 110.00

Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)

110.00

(Complete if applicable)					
Name (Print/Type)	Tracey D. Beiriger, Esq.	Registration No. (Attorney/Agent)	37402	Telephone	724-337-2779
Signature	Tracey D. Beiriger	Date			09/19/2003

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by

PTO/SB/97 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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To: George P. Wyszomierski

Total Pages: 5

Phone: 703-308-2531

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GROUP 1700

Michelle L. English
SignatureMichelle L. English

Typed or printed name of person signing Certificate

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each submitted paper.

John Liu et al.

U.S. Serial No. 09/821,291

Filed March 29, 2001

Confirmation No. 3184

"Aluminum Alloy Extrusions Having A
Substantially Unrecrystallized Structure"

09/26/2003 RGHOLSON

01 FC:1814

10.00 Attorney Docket: 96-2045

Letter (1 pg.)

Terminal Disclaimer (1 pg.)

Fee Transmittal (1 pg.-in duplicate)

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In re application of)
John Liu et al.) Examiner George P. Wyszomierski
Serial No. 09/821,291) Group Art Unit 1742
Confirmation No. 3184) Attorney Docket No. 96-2045
Filed March 29, 2001) **FAX RECEIVED**
For Aluminum Alloy Extrusions) **SEP 23 2003**
Having A Substantially)
Unrecrystallized Structure) **GROUP 1700**

TRANSMITTAL LETTER

September 19, 2003

FACSIMILE NO.: 703-872-9311

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a Terminal Disclaimer on the above-identified application.

Respectfully submitted,

Tracey D. Beiriger
Tracey D. Beiriger, Esq.
Attorney for Applicants
Registration No. 37402
Telephone No.: 724-337-2779

08840
PATENT TRADEMARK OFFICE